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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LESLIE R. BAKKE, an individual

Case No.: 2:23-cv-01098-GMN-EJY

11 Plaintiffs,
 12 v.

HARTFORD INSURANCE COMPANY OF
THE MIDWEST, Does 1 through 10, inclusive,

Defendants.

**STIPULATION AND ORDER TO
 EXTEND THE CLOSE OF
 DISCOVERY, DISPOSITIVE
 MOTIONS DEADLINE, AND JOINT
 PRETRIAL ORDER DEADLINE
 FIRST REQUEST**

16 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Leslie R.
 17 Bakke, through her counsel of record, the law firm of Sidran Law Corp and Defendant Hartford
 18 Insurance Company of the Midwest, through its counsel of record, the law firm of WRIGHT,
 19 FINLAY & ZAK, LLP, that the discovery deadlines in this matter shall be extended ninety (90)
 20 days pursuant to LR 26-3. This is the parties' first request for an extension of the discovery
 21 deadlines. The parties set forth the following information in support of their stipulation.

I.

DISCOVERY COMPLETED TO DATE**A. FRCP 26(a) Disclosures and Supplements**

<u>Title</u>	<u>Date Served</u>
Plaintiff's Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	September 28, 2023
Hartford Insurance Company of the Midwest's Initial Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	September 14, 2023
Hartford Insurance Company of the Midwest's First Supplemental	January 30, 2024

1	Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE	
2	26.1(a)(1)	

3 **B. Written Discovery**

4 Title	5 Date Served
Hartford Insurance Company of the Midwest's First Set of Interrogatories to Plaintiff	October 6, 2023
Hartford Insurance Company of the Midwest's First Set of Requests for Admissions to Plaintiff	October 6, 2023
Hartford Insurance Company of the Midwest's First Set of Requests for Production of Documents to Plaintiff	October 6, 2023
Plaintiff's Responses to Hartford Insurance Company of the Midwest's First Set of Requests for Production of Documents to Plaintiff	December 22, 2023
Plaintiff's Responses to Hartford Insurance Company of the Midwest's First Set of Requests for Admissions to Plaintiff	December 22, 2023
Plaintiff's Responses to Hartford Insurance Company of the Midwest's First Set of Interrogatories to Plaintiff	December 22, 2023

13 **C. Depositions**

14 Deponent	15 Date
Plaintiff Leslie Bakke	January 31, 2024

16 **D. Subpoenas Issued**

17 ATI Physical Therapy	January 5, 2024
Cornerstone Family Practice	January 5, 2024
Innovative Pain Care Center	January 5, 2024
Las Vegas Neurology	January 5, 2024
Brian E. Lee, MD	January 5, 2024
Mariam A. Marvasti, MD	January 5, 2024
Moehrle Clinic	January 5, 2024
Dr. John Moehrle	January 5, 2024
Neurology Center of Nevada	January 5, 2024
PBS Anesthesia	January 5, 2024
SimonMed Imaging	January 5, 2024
Stanford Health Care	January 5, 2024
Steinberg Diagnostic Medical Imaging	January 5, 2024
Surgical Arts Center	January 5, 2024
Spine & Brain Institute	January 5, 2024
Desert Radiology	January 8, 2024
Henderson Hospital	January 31, 2024

II.

DISCOVERY TO BE COMPLETED

1. Plaintiff will take the depositions of Defendant's relevant claims handling personnel who were involved in the investigation, evaluation, and handling of her respective uninsured motorist claim.

2. Plaintiff will take the deposition of the FRCP 30(b)(6) witness for Defendant.

3. The parties will produce their initial and rebuttal expert reports.

4. The parties will depose their respective expert witnesses.

5. The parties will engage in additional written discovery and notice any additional depositions.

The parties anticipate that they may need to conduct other forms of discovery not specifically delineated herein on an as-needed basis. Therefore, the list outlined above is in no way intended to be a comprehensive list of the outstanding discovery that remains to be completed.

III.

**REASONS DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS AND
NEEDS TO BE EXTENDED**

“[D]istrict courts . . . retain broad discretion to control their dockets” *Shahrokh v. Harter*, No. 2:21-cv-01126-RFB-NJK, 2021 U.S. Dist. LEXIS 247936, at *4 (D. Nev. Dec. 30, 2021). To prevail on a request to extend discovery deadlines, the parties must establish good cause. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 608-09 (9th Cir. 1992). “Good cause to extend a discovery deadline exists if it cannot reasonably be met despite the diligence of the party seeking the extension.” *Las Vegas Skydiving Adventures LLC v. Groupon, Inc.*, No. 2:18-cv-02342-APG-VCF, 2020 U.S. Dist. LEXIS 166073, at *6 (D. Nev. Sep. 10, 2020) (internal quotations omitted). For the reasons set forth below, the parties respectfully submit that good cause supports their request for an extension of the close of discovery, dispositive motions deadline and joint pretrial order deadline.

1 The parties respectfully request an extension of the discovery deadlines in this matter for
 2 numerous reasons. The earliest date on which Plaintiff's retained medical expert can conduct
 3 a physical examination of Plaintiff is April 29, 2024. This examination is necessary for Plaintiff
 4 to produce her initial expert reports. Further, Defendant has encountered unforeseen
 5 delays in obtaining Plaintiff's medical records from numerous healthcare providers, including
 6 out-of-state records from Stanford Healthcare in California.

7 **IV.**

8 **PROPOSED SCHEDULE FOR COMPLETING DISCOVERY**

	<u>Current Date</u>	<u>Proposed Date</u>
Amend Pleadings and Add Parties:	March 5, 2024	June 5, 2024
Initial Expert Disclosures:	April 4, 2024	July 5, 2024 ¹
Rebuttal Expert Disclosures:	May 6, 2024	August 5, 2024
Close of Discovery:	June 3, 2024	September 5, 2024
Dispositive Motions	July 3, 2024	October 5, 2024
Joint Pretrial Order	August 2, 2024	November 5, 2024

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 28 ¹ The actual deadline falls on July 4, 2024, a federal holiday.

Based on the foregoing, the parties respectfully request this Court grant their Stipulation and Order to Extend the Close of Discovery, Dispositive Motions Deadline, and Joint Pretrial Order Deadline (First Request).

DATED this 8th day of February, 2024. DATED this 8th day of February, 2024.

By: /s/ David R. Sidran
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Attorney for Defendant HARTFORD
INSURANCE COMPANY OF THE
MIDWEST

ORDER

IT IS SO ORDERED.

Eayna J. Zouchah
UNITED STATES MAGISTRATE JUDGE

Dated: February 9, 2024